



# INFORMATION



## BACKGROUNDER

May 9, 1985  
Edmonton, Alberta

### NATIVE CHILD WELFARE

- Alberta's Native population is increasingly young and urban. According to the 1981 census, 54% of the Native population is less than 19 years of age.
- To meet the changing needs of the community, the Province has developed a variety of special initiatives that address the serious nature of Native child welfare .
- Alberta was the first province in Canada to undertake a tripartite agreement (with the Blackfoot Band) for the delivery of services by an Indian band in 1973. A similar agreement was signed with the nine bands of the Lesser Slave Lake Indian Regional Council in 1983.
- Discussions which may lead to a similar transfer of responsibility are underway with the Yellowhead Tribal Council (five bands), the Blood, Peigan and Stoney Bands as well as the Kikino Metis Settlement and a Metis organization in Edmonton.
- In December, 1984, the Minister of Alberta Social Services and Community Health, Dr. Neil Webber created a working group on Native Child Welfare. It is made up primarily of Native professionals. They will be responsible for recommending ways to improve services to Native children. This includes such areas as finding more Native foster homes and involving more Native people in the delivery of services at the local level.
- To enhance communication between Alberta Social Services and Native communities, the Minister appointed six regional advisors and a senior department advisor on Native issues in January, 1985.
- Under Alberta's new Child Welfare Act which will be proclaimed July 1, 1985, the Minister can delegate authority for all services under the Act to Native communities and organizations.
- The new Act recognizes the importance of a child's linguistic, cultural and religious heritage. Alberta Social Services has implemented a program of in-service cross cultural training for its staff.

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May 1, 1965  
London, A.D.

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### LUBICON LAKE INDIAN BAND

May 9, 1985  
Edmonton, Alberta

- In 1933, Lubicon Lake area Indians sent a petition to the federal government. In this petition they acknowledged that there were Treaty Indians some of whom were from the Whitefish Lake Band.
- In 1940, the federal government informally recognized a Lubicon Band as distinct from the Whitefish Band. They established plans to survey a new reserve west of Lubicon Lake; this however, was never undertaken.
- In 1949, the Province placed an administrative notation on approximately 24 sections of Crown land. Enquiries in 1952, to the federal government regarding land required for a Reserve produced no clear response. As a result, the Province withdrew its notation on the land file in 1954.
- In April, 1980, the Lubicon Band filed a statement of claim in the Federal Court of Canada against Canada, Alberta and 10 oil companies. The Federal Court determined that it would hear the case only against the Federal Crown and Petro Canada.
- In January, 1982, the federal government met separately with the Band and the Province to explore the possibility of a negotiated resolution within the framework of the federal land claims process.
- In February, 1982, the Band initiated a second action against the Alberta government and 11 oil companies. The Band has been unsuccessful in its application for an interim injunction in decisions of the Court of Queen's Bench (November, 1983), the Alberta Court of Appeal (January, 1985) and the Supreme Court of Canada (March 15, 1985).
- The former Prime Minister received a letter from the World Council of Churches in January, 1984, that alleged provincial government policies amounted to "cultural genocide" against the Lubicon Band.
- In May, 1984, Mr. Pahl indicated that the Alberta Government would be prepared to include subsurface mineral rights in future treaty entitlements, thereby removing one of the major perceived obstacles to resolving the few outstanding claims in Alberta.
- In August, 1984, Alberta's Provincial Ombudsman completed an investigation into allegations made against officials of the Government of Alberta in regard to the treatment of the Lubicon Band. He did not address their land claim as it was before the





courts. However, he found the other allegations to be unfounded and the emotional charge of cultural genocide to "have no factual basis."

- The Province has addressed the recommendations of the Ombudsman's 1984 report. Efforts are being undertaken to improve public understanding of the Trapper Compensation Program in the Lubicon area and other communities.
- Alberta Native Affairs identified community interpreters who could assist the Province in communicating complex matters to Native people. A list of these community interpreters was widely circulated within the provincial government by the Honourable Milt Pahl, Alberta Minister Responsible for Native Affairs.
- Mr. Pahl has indicated that he would consider tripartite discussions on a without prejudice basis to encourage a satisfactory resolution to the Treaty land claim. He has stated that once a validated claim is received from the federal government, Alberta is willing to enter into negotiations.
- The Alberta government has made available to the federal government a genealogical report assembled in an attempt to facilitate a determination of the Band's entitlement and subsequent negotiations.
- The Alberta genealogical report determined that fewer than a dozen claimants within the Lubicon area could not be traced back to ancestors who had taken Treaty, received annuities, been included on band lists or received scrip.
- Lubicon Lake is located approximately 575 kilometres northwest of Edmonton.

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## BACKGROUNDER

### GRANDE CACHE NATIVE HUNTING

May 9, 1985  
Edmonton, Alberta

- The Grande Cache Native population is descended primarily from Iroquois and European males who came west with the fur trade in the early 1800's.
- They originally settled in an area now within the boundaries of Jasper National Park. By 1850, however, considerable intermarriage had occurred between this original group, Cree Indians, and Metis living around Lac Ste. Anne. Many of the group accepted Metis script or settled on reserves after the signing of Treaty 6 in 1876 and Treaty 8 in 1899.
- When Jasper National Park was established in 1910, six Native families were moved from the Park and settled in the Grande Cache area. Within these families, only one individual could claim patrilineal descent from the original Iroquois group. Considering their resettlement, their case differed from one of their neighbours who had taken out a homestead and could legally resist eviction. Since the six families did not hold title to the land in the Park, they were paid compensation for improvements they made to it.
- Up to the 1950's and 60's, Natives in the Grande Cache area supported themselves in a traditional Native lifestyle, supplemented by farming activities.
- During the 1960's and 70's the population in Grande Cache expanded reflecting increasing activity in natural resource development.
- In 1969, the provincial government permitted Grande Cache Natives to hunt for food as though they were eligible for registration as Indians until such time as their status was determined.
- Indians eligible to be registered under the Indian Act do have special privileges relating to the taking of game or fish for food. These rights are assured them by the Alberta Natural Resources Transfer Act (1930).
- In 1973, the provincial government reminded the group that the onus was on them to determine their status.
- In July, 1984, the RCMP charged Grande Cache Native Myles McDonald with possession of wildlife out of season.





- By November, 1984, the provincial government had completed a review of its hunting policies and procedures. At that time, the provincial government decided to extend its policy of issuing subsistence hunting licenses to apply to the area of Grande Cache. It also reaffirmed its policy whereby any person claiming Indian hunting rights would be responsible for proving his eligibility. Other persons wishing to hunt could apply for subsistence hunting licenses or provincial hunting licenses available to the general public.
- The Grande Cache Natives were notified of this policy by the Honourable Don Sparrow, Associate Minister, Alberta Public Lands and Wildlife in a letter dated December 19, 1984.
- In consultation with the Grande Cache Native community, the provincial government held a public meeting in Grande Cache, January 23, 1985 to clarify this policy. A government Native interpreter helped communicate information in a Native language.
- A further discussion of community concerns was held March 6, 1985 in Edmonton between representatives of the Grande Cache Co-ops and the Honourable Don Sparrow, Associate Minister, Public Lands and Wildlife and the Honourable Milt Pahl, Minister Responsible for Native Affairs.
- As a result, the Province has agreed to assist members of the Native community by allocating subsistence hunting permits to those individuals who qualify on the basis of appropriate applications. The amount of information required on application forms has been significantly reduced. In 1985 the subsistence hunting season was extended.
- Alberta Native Affairs will provide technical and financial help to Grande Cache Natives who wish to determine their eligibility for Treaty Indian status.
- The above commitments by the Province have been well received by the community.
- Grande Cache is located approximately 433 kilometres west of Edmonton.

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